

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JESSICA TUCKER,

Plaintiff,

v.

NAIRA BAINDURASHVILI and  
NN TRANSPORT, LLC,

Defendants.

CFAN:

Removed from the State Court  
of Douglas County, Georgia  
Civil Action File No:  
20SV01060

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**NOTICE OF REMOVAL**

COMES NOW Defendant NAIRA BAINDURASHVILI by and through undersigned counsel, and pursuant to 28 U.S.C. § 1446 hereby files Notice of Removal of the action now pending in the State Court of Douglas County, State of Georgia, Civil Action File No. 20SV01060, styled as *Jessica Tucker v. Naira Baidurashvili and NN Transport, LLC* (the “civil action”), respectfully showing this Honorable Court as follows:

1. On December 16, 2020, Plaintiff JESSICA TUCKER (“Plaintiff”) filed the civil action in the State Court of Douglas County, State of Georgia. Copies of the Summons and Complaint filed by Plaintiff are attached hereto as “Exhibit A.”

2. On March 15, 2021, Plaintiff filed an Affidavit of Compliance indicating that she had sent to Defendant NAIRA BAINDURASHVILI notice of service under O.C.G.A. § 40-12-2 (the “Non-Resident Motorist Act) along with a copy of the Summons and Complaint.
3. On March 22, 2021, the Georgia Secretary of State filed a Certificate of Acknowledgement indicating that it had accepted service of the Summons and Complaint on behalf of non-resident motorist Defendant NAIRIA BAINDURASHVILI.
4. Upon information and belief, Plaintiff has not yet perfected service of process on Defendant NN TRANSPORT, LLC.
5. In the civil action, Plaintiff pursues a cause of action for negligence, negligence *per se*, and *respondeat superior* against Defendants arising out of an April 11, 2019, motor vehicle accident. (Complaint, generally).
6. In the civil action, Plaintiff seeks “damages for the care and treatment of her injuries, including past, present, and future medical expenses; past, present, and future mental and physical pain and suffering, lost wages, past and future economic losses, and such other relief as this Court deems just and proper. (Complaint ¶ 29). Plaintiff alleges that she is entitled to damages for permanent injury and loss of enjoyment of life due to continuing back and neck pain in addition to seizures which cause her to lose consciousness.

7. On April 8, 2021, Plaintiff submitted a Demand in which she seeks \$200,000 for resolution of her claims against Defendants arising out of the April 11, 2019 motor vehicle accident (“Plaintiff’s Demand”). Plaintiff’s Demand provides information regarding the alleged severity of Plaintiff’s injuries. A copy of Plaintiff’s April 8, 2021, Demand is attached hereto as “Exhibit B.” Accordingly, Defendant NAIRA BAINDURASHVILI avers in good faith that the amount in controversy in this matter exceeds \$75,000.00.
8. Because the amount in controversy in the civil action exceeds \$75,000.00, exclusive of interest, costs, and attorney’s fees, the amount in controversy requirement necessary for removal pursuant to 28 U.S.C. §§ 1332(a), 1441(b) is satisfied.
9. At all times material, Plaintiff has been a citizen of the State of Georgia (Complaint ¶ 1).
10. At all times material, Defendant NN TRANSPORT, LLC has been a limited liability company organized under the laws of the State of New Jersey with its principal place of business in the State of New Jersey. The sole member of Defendant NN TRANSPORT, LLC is Naira Baindurashvili, a citizen of the State of New Jersey.
11. At all times material, Defendant NAIRA BAINDURASHVILI has been a citizen of the State of New Jersey.

12. Because the civil action is between citizens of different States, removal on the basis of diversity is proper pursuant to 28 U.S.C. §§ 1332(a), 1441(b).
13. The civil action was commenced in the State Court of Douglas County, State of Georgia on December 16, 2020. Plaintiff filed an Affidavit of Compliance indicating that she had sent to Defendant NAIRA BAINDURASHVILI notice of service under the Georgia Non-Resident Motorist Act on March 15, 2021. Accordingly this notice is timely filed pursuant to 28 U.S.C. § 1446(b)(1) and Fed. R. Civ. P. 6(a)(1)(C).
14. Pursuant to 28 U.S.C. § 1446(d), Defendant NAIRA BAINDURASHVILI has provided written notice to all adverse parties and have filed a copy of this Notice of Removal with the Clerk of the State Court of Douglas County, State of Georgia (A copy of the Notice of Filing of Notice of Removal submitted to the Clerk of the State Court of Douglas County, State of Georgia is attached hereto as “Exhibit C”).

WHEREFORE, Defendant NAIRA BAINDURASHVILI respectfully submits this matter to this Court’s jurisdiction and removes the civil action to this Court.

This 14<sup>th</sup> day of April, 2021.

**WILSON ELSER MOSKOWITZ  
EDELMAN AND DICKER, LLP**

//s/ Devin P. Arnold

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*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

This is to certify that I have this 14<sup>th</sup> day of April, 2021, caused the within and foregoing *NOTICE OF REMOVAL* to be served on all parties via statutory electronic service and/or by U.S. Mail with adequate postage attached which shall cause a copy to be delivered to the following:

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*Attorney for Plaintiff*

/s/ Devin P. Arnold  
Devin P. Arnold